

REMARKS:

Claims 1-7, 9 and 15-27 were pending in the present application. Claims 5, 6, 9, 20 and 22 have been cancelled. Claims 28-32 have been added. Claims 1, 2, 4, 7, 15, 16, and 24-27 have been amended. Accordingly, claims 1-4, 7, 15-19, 21, and 23-32 are now pending in the application.

Claims 1, 15, 24, 25, and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kobylinski et al. (U.S. Patent No. 7242938) in view of Scholefield (U.S. Patent No. 5,752,193). Although Applicant respectfully traverses at least portions of this rejection, Applicant has amended the claims to expedite allowance.

Claims 2-7, 9, and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kobylinski in view of Scholefield, and in further view of Rosener et al. (U.S. Patent Application Publication No. 2002/0028655). Applicant respectfully traverses this rejection.

Claims 16-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Scholefield in view of Rosener. Although Applicant respectfully traverses at least portions of this rejection, Applicant has amended the claims to expedite allowance.

Applicant's method claim 1 as amended recites, in pertinent part:

a mobile device sniffing for available cellular frequency channels;
the mobile device requesting from a base station, an allocation of cellular frequency channels from the available cellular frequency channels;

...

bonding a short-range radio channel with the allocated cellular frequency channels thus increasing available bandwidth for data communication between the mobile station and the base station;
and

transmitting data to the base station over the bonded short-range radio channel and the allocated cellular frequency channels.

In the rejection of claim 9, the Examiner has acknowledged that neither Kobylinski nor Scholefield teaches or suggests bonding of the cellular channels and the short range channel. However, the Examiner asserts Rosener teaches the limitations. More particularly, the Examiner asserts Rosener teaches bonding the short range radio channel and one or more cellular channels at paragraphs [0060], [0118], and [0119]. Applicant respectfully disagrees with the Examiner's characterization of the art, and the application of that characterization to Applicant's claims.

Rosener is directed to a repeater system. Specifically, Rosener discloses:

In one implementation, two (or more) T 28 GSM phones of the type described in reference to wireless device 101 I are used as core modules of the repeater core. Such phones are enclosed in a plastic radome and mounted in the roof of a car on a plastic plate that replaces any metal sheeting in the roof. In this embodiment, the Bluetooth interface communicates with wireless devices inside the car, and RF interface communicates with a base station outside the car. In this implementation, the T 28 phones already include the repeater control unit as well as the outside adaptive antenna system. ... (See Rosener at paragraph [0060] (Emphasis added)

In one scenario, the user walks to the car, carrying on a conversation with hand-held phone, Bluetooth discovery is made between the phone and car. The phone determines that signal strength is adequate, and no action is taken. The phone continues to monitor signal strength. As the user enters the car, continuing her conversation, signal strength drops below threshold and the phone instructs the repeater to turn on the repeater queries the phone for the phone's properties, recognizes phone as a trusted device and turns ON. Hysteresis in the algorithm prevents unnecessary switching. As the user drives to their destination and leaves the car, for example with a briefcase, the repeater recognizes loss of Bluetooth connection and shuts down (See Rosener at paragraph [0118]).

[0119] In another or a continuing scenario, assume that the owner's phone and laptop computer are in the briefcase and turned ON and are Bluetooth connected. Upon entry into the car, the phone makes a Bluetooth connection with repeater and turns the repeater On. The laptop computer requests email synchronization via the phone. The phone places a call via the repeater, and performs synchronization in concert with the laptop computer and a remote server. Upon exiting the car, the owner leaves the briefcase in car. Even though the automobile is turned OFF, the repeater-phone-laptop computer system continues to operate, synchronizing laptop computer (See Rosener at paragraph [0119]. (Emphasis added)

From the foregoing, Applicant submits Rosener is merely teaching “Bluetooth discovery.” In addition, the Bluetooth “interface” is between the “repeater” and “wireless devices inside the car,” and the “RF interface” is between the “repeater” and a “base station.” Thus, communication using the Rosener system involves communication between points A (mobile device) and B (repeater) using one interface (Bluetooth) and then between points B (repeater) and C (base station) using another interface (cellular). Rosener’s Bluetooth and RF interfaces are thus not “bonded” as that term is understood by those of ordinary skill in the art.

Thus, Applicant submits none of the references taken either singly or in combination teaches or suggests the combination of features recited in Applicant’s claim 1.

Accordingly, for at least the reasons given above, Applicant submits claim 1 and its dependent claims patentably distinguish over the cited references.

Claims 16, 28, and 30 recite features that are similar to the features recited in claim 1. Accordingly, for at least the reasons given above, Applicant submits that these claims and their respective dependent claims also patentably distinguish over the cited references.

CONCLUSION:

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/6057-60300/SJC.

Respectfully submitted,

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